

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

SIERRA BROKERAGE SERVICES, INC., ET AL.,

Defendants.

Case No. C2-03-326

Judge Marbley
Magistrate Judge Deavers

FINAL JUDGMENT AS TO DEFENDANT KE LUO

The Securities and Exchange Commission (“Commission”) having filed a Complaint and Defendant Ke Luo (“Defendant”) having answered; the Court having jurisdiction over Luo and the subject matter of this action; the Court having previously entered an Opinion and Order (Doc # 221) in which it found that the Commission was entitled to summary judgment and disgorgement against Defendant and having entered a Judgment as to Defendant Luo (Doc # 265); and the Commission having filed a Motion (Doc # 270) seeking the entry of a Final Judgment setting civil penalties to be paid by Defendant and incorporating in the Final Judgment the disgorgement and prejudgment interest previously ordered; and the Court having considered the Commission’s motion, the submissions of all parties concerning this motion, and being apprised of the premises; the Court grants the Commission’s motion and orders as follows:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable, jointly and severally with Defendant M&M Management, Ltd., for disgorgement of \$1,161,869, representing profits gained as a result of the violations found by the Court, together with

prejudgment interest thereon in the amount of \$440,296, for a total of \$1,602,165. Defendant shall satisfy this obligation by paying \$1,602,165 within fourteen (14) business days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Ke Luo as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States Treasury.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$250,000 pursuant to 15 U.S.C. § 77t(d). Defendant shall make this payment within fourteen (14) days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Ke Luo as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The Commission shall

remit the funds paid pursuant to this paragraph to the United States Treasury.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court dismisses with prejudice Count II (Section 17(a)(1) of the Securities Act), Count III (Sections 17(a)(2) and 17(a)(3) of the Securities Act), and Count IV (Section 10(b) of the Exchange Act and Rule 10b-5 thereunder) against Defendant.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

Dated: October 7, 2010

s/Algenon L. Marbley
UNITED STATES DISTRICT JUDGE